



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

BTR  
F. #2012R01500

610 Federal Plaza  
Central Islip, New York 11722-4454

November 8, 2018

**Via ECF and Email**

David M. Siegal, Esq.  
Mintz, Levin, Cohn, Ferris,  
Glovsky and Popeo, P.C.  
666 Third Avenue  
New York, NY 10017

United States v. John Drago  
Docket No. 18 CR 394 (SJF)

Counsel,

This letter provides, pursuant to your continuing requests and letter of October 23, 2018, additional discovery pursuant to Rule 16 of the Federal Rules of Criminal Procedure. The items are addressed seriatim. Please be advised that:

Pursuant to your request, electronic copies of documents seized during the search of your client's business, Kayla Check Cashing, were completed today by an outside contractor at the government's expense. These records consist of approximately nine boxes of documents you selected from the search documents in the government's possession. The computer disks will be forwarded to you under separate cover upon receipt. The remaining documents seized during the search remain available for your examination and copying.

You further requested a copy of the return filed by the agent with the inventory of items seized. The inventory has been previously supplied and as indicated the search warrant of Kayla and related documents are public record. In Re Search Warrant: Kayla Check Cashing Corp., 13-0407M (WW). A copy of the return obtained from the court file is enclosed.

Your requests for transcripts of the plea minutes of Kayla Check Cashing customers, known to the prosecution team to have been prosecuted for tax offenses is noted. The government is aware of it's duties pursuant to Brady, Giglio and Jenks and will respond when appropriate.

Regarding your request for copies of audits of Kayla by the Internal Revenue Service we have provided copies of IRS administrative reports, provided to the prosecution team, they were scanned and made part of the electronic copies being provided under separate cover. You have previously indicated you would provide copies of audit reports of Kayla's anti-money laundering program by New York State and the IRS. The government has not received any documents from the defense. We renew our request for such reports.

In Re Search Warrant: Black Samsung Galaxy S9 Mobile Phone, 18 MJ 713 (AKT) has been ordered unsealed and should be available through the Court Clerk as a public record.

As to you request for the return of all computer records, please note that a complete copy of Kayla' hard drive was returned to the defendant, pursuant to prior counsels request in January 2016.

If you have any further questions, the agents and I are available to meet with you and your client to review the evidence.

Respectfully submitted,

RICHARD P. DONOGHUE  
United States Attorney

By: 

BURTON T. RYAN, JR.  
Assistant U. S. Attorney  
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Enclosure

cc: Clerk of the Court (SJF) (w/o enclosures)